

**Sex and the City:  
The Women's Christian Temperance Union and the Mann Act of 1910**

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America in the dawn of the twentieth century was a place of increasing liberties and radical social change. While this seemed to be a good change for the younger generation as they were free to emigrate to large cities for work and entertainment, this only heightened the concerns of the older, more conservative crowd. Would American daughters be safe on their own in cities full of immigrants, where they knew no one who would protect them? This fear worked in conjunction with the hyper-exaggerated myth of white slavery to encourage the formation of purity groups that endeavored to save the moral fiber of young girls. The purity groups and their crusaders used the moral panic during this time to promote their own agendas and to extend their own political power.

The moral panic of 1907-1914 was the catalyst for massive social change in a newly modernizing America. An ever-increasing number of immigrants entering the United States led to concerns about the country's future, and American WASPs began to emphasize racial separatism and popular racist ideology. And, the most intense fears centered around the young white women entering the city who could potentially be victimized and sexually dominated by minorities or immigrant men. The popularity of captivity narratives drastically increased. They had existed up to that point in the form of Indian captivity narratives in which savage men captured young white women and had their way with them. The woman's moral fiber was ruined, and civilized society was damaged. These stories became more widespread and broadened to include captors of other races. Groups like the Women's Christian Temperance Union used the narratives to fuel the fear of white slavery in order to assert their influence and further their own agendas.

The Women's Christian Temperance Union in the early twentieth century sought to preserve what they viewed to be traditional American moral values through local action and national legislation as a response to the moral panic. Mostly remembered for being active in the purity crusades movement, the WCTU focused much of its attention on fighting the immorality and debauchery which flowed from liquor's availability in the growing cities. It called for a return to the conservative values which had served the country so well for so long and bought into the anti-white slavery crusades in order to extend its own influence. Members of the WCTU would push to change public policy, resulting in legislation such as the White Slave Traffic Act, otherwise known as Mann Act.

The White Slave Traffic Act of 1910 was the result of increased pressure on the political system to respond to perceptions of increased immorality in newly developed cities. At a time during which urban populations were skyrocketing, and young men and women were meeting in the cities with little to no parental supervision, puritanical sexual mores resurfaced in conservative circles. This led to a nationwide panic over the safety and morality of young white women, who supposedly could not defend themselves against the wit and diabolical nature of sexually aggressive men, especially African Americans and immigrants. The separate spheres ideology of this era argued that men belonged in the public areas of work and politics, while women belonged in the home. This meant that women were the ones expected to enforce established mores with regard to behavior and sex, especially in relation to young women.

This paper is not a full history of the origins of the Mann Act. Instead it will focus on the Women's Christian Temperance Union and its activism around white slavery and the Mann Act in order to more fully understand the motives behind the passage of the law. To a considerable degree, the WCTU was successful in using the public fears of the era to expand its own power and advance its own agenda. It is debatable whether or not the WCTU in particular had a lasting effect on American society, but

their advances in public policy certainly did. The WCTU used the moral panic of 1907-14 and the Mann Act in an attempt to reassert control over the domestic sphere which women naturally inhabited.

### **The Moral Panic**

The Women's Christian Temperance Union and its primary leader, Frances Willard, framed the issues of sexual violence and white slavery in such a way that they both expressed and depended upon a depiction of immigrants and African-Americans as sexual predators.<sup>1</sup> In doing so they relied heavily on white slavery narratives and the fears which they elicited from the parents of country youth emigrating to the city. The fears expressed in these narratives shaped the public response to women's newfound freedoms in the city and their place in urban life. The captivity narratives and the racism they relied on were instrumental to the purity crusades during the moral panic and assisted the WCTU in reasserting conservative values. Both in public discussion and in public policy, the WCTU used the emerging fears of the moral panic to support their own ideology.

The immigrants who the WCTU depicted as sexual aggressors congregated in cities. This pattern played out primarily in the North, due to the massive influx of people looking for opportunity in the growing industrial cities. The stream of people moving into cities included increasing numbers of young, native, white women from the country, who would come to the city for recreation and employment opportunities.<sup>2</sup> Here was the origin of the "New Woman" of the modern age. Women in the new social spaces of the city, such as dance halls and ice cream parlors, were considered to be temptations to men, and many purity leaders considered those places to be 'dens of iniquity.' These new forms of entertainment were considered by many to be indecent. Religious organizations such as the WCTU were

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<sup>1</sup> Brian Donovan, *White Slave Crusades: Race, Gender, and Anti-Vice Activism, 1887-1917* (Chicago, University of Illinois Press, 2006), 43.

<sup>2</sup> *Ibid.*, 29.

determined to abolish them.<sup>3</sup> The dance hall itself was considered to be the source of white slavery and this in turn encouraged the development and dissemination of vice crusades, which shared with the white slave crusades, among other things, the desire to reform new social spaces.<sup>4</sup> Renovations in courtship (ex. Dance halls, which allowed young men and women to mingle without parental supervision) in the modern cities helped cause the Victorian ideas of female passionlessness and moral purity to lose currency among the working-class.<sup>5</sup>

The myth of the black rapist and African American sexual aggression, which found a lasting home in the New South under Jim Crow, was central to the white slave narrative that informed WCTU thought.<sup>6</sup> Stories of African American men raping white women became the cornerstone of, and a powerful rationale for, racial violence.<sup>7</sup> Essentially, this myth fed into racial separatism and was prominent in the public thinking and propaganda of the time, which depicted savage black men forcefully attacking white women. Rebecca Felton, a leader in the Georgia chapter of the Women's Christian Temperance Union, repeatedly stressed lynching as a way to deter sexual violence against white women by black men.<sup>8</sup> The WCTU considered African American men a sexual threat to native born whites.<sup>9</sup> This belief, which relied heavily on Southern ideology regarding race relations, created the idea of the black man as a racialized villain within the Anglo-Saxon community. The image of the black rapist was central to the WCTU's campaign against sexual violence.<sup>10</sup> The WCTU relied heavily on the idea that white, female purity was being threatened by black aggressors.

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<sup>3</sup> David J. Pivar, *Purity Crusade: Sexual Morality and Social Control, 1868-1900* (Westport: Greenwood Press, Inc.), 235.

<sup>4</sup> Donovan, *White Slave Crusades*, 27.

<sup>5</sup> *Ibid.*, 7.

<sup>6</sup> *Ibid.*, 12.

<sup>7</sup> *Ibid.*, 14.

<sup>8</sup> *Ibid.*, 14.

<sup>9</sup> *Ibid.*, 47.

<sup>10</sup> *Ibid.*, 49.

Where Southern culture demonized black men as sexual aggressors, Northerners focused primarily on immigrant men. Anglo-Saxons considered Jews, Italians, and the Irish to be non-white races, meaning that they essentially occupied an intermediate status between white and black.<sup>11</sup> There was an obvious link between the ostracization of immigrants and the same treatment of Native Americans and African-Americans-- non-white races that native-born whites considered a threat to white society and to white women. White slave crusaders, those who sought the end of the trade, drew parallels between country and city and between native and foreign in an effort to impart the idea that foreigners were a sexual threat.<sup>12</sup> This was essential to the new narrative.

White slavery narratives, supposedly true stories about white women who were captured and forced into prostitution, echoed long-established Indian captivity narratives. In most of these stories, the victim was a young white woman who had been tricked or fooled. The villain was an immigrant man seeking to take advantage of the naive Anglo-Saxon youth.<sup>13</sup> The innocence of country girls, and their susceptibility to being duped by salacious men, is a major facet of captivity literature.<sup>14</sup> Writers romanticized captivity culture and their accounts were very firmly rooted in racist and anti-Semitic depiction of the “innocent girl and the alien villain.”<sup>15</sup> It was a common Northern belief that “it was the foreigner who taught the American this dastardly business” and that “[t]he vilest practices are brought here from continental Europe.”<sup>16</sup> These published accounts emphasized the dangers of city life and the threat of new immigrants. In addition, there was a massive emphasis on the equivalence between chattel slavery and white

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<sup>11</sup> Donovan, *White Slave Crusades*, 15.

<sup>12</sup> *Ibid.*, 31.

<sup>13</sup> *Ibid.*, 16.

<sup>14</sup> *Ibid.*, 28.

<sup>15</sup> Mark T. Connelly, *The Response to Prostitution in the Progressive Era* (Chapel Hill: The University of North Carolina Press, 1980), 92.

<sup>16</sup> F. Cordasco, *The White Slave Trade and the Immigrants: A Chapter in American Social History* (Detroit: Blaine/Ethridge Books, 1981), 34.; D.J. Langum, *Crossing Over the Line: Legislating Morality and the Mann Act* (Chicago: University of Chicago Press, 1994), 19.

slavery, typically drawn by purity leaders.<sup>17</sup> Assistant US District Attorney Harry A. Parkin stated that “there is an actual, systematic and widespread traffic in girls as definite, as established, as mercenary and as fiendish as was the African slave trade in its blackest days.”<sup>18</sup> This led to the trade later being referred to as the “black traffic in white girls.”<sup>19</sup>

Within the purity crusades community there was an intense focus on desexualizing black slavery in order to make the mythical white slave trade comparatively worse. In an essay on white slavery and prostitution, E.A. Bell claimed prostitution to be “the most hideous form of human slavery known in the world today,” completely ignoring the sexual slavery of the African slave trade.<sup>20</sup> Representative Mann himself once stated that “the white-slave traffic, while not so extensive, [was] much more horrible than any black-slave traffic ever was in the history of the world,” and Representative Coy of Indiana claimed it to be “a thousand times worse and more degrading... than any species of human slavery that ever existed in this country.”<sup>21</sup> According to David Langum, the term “white slaves” was a reminder to middle-class America that it was not the “lowly Negro” that was being enslaved, but women of their own kind.<sup>22</sup>

The discussion of white women being sexually dominated and exploited only referred to a certain type of white woman. During this time there was a prevailing hierarchy of white races that affected those who were in the target group ‘protected’ under the WCTU’s anti-prostitution crusades and later the Mann Act.<sup>23</sup> While the alleged focus of the Mann Act’s protection was all white women, the true emphasis was on native-born Anglo-Saxon women according to that historic definition of true whiteness.

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<sup>17</sup> Donovan, *White Slave Crusades*, 18.

<sup>18</sup> Harry A. Parkin, “Practical Means of Protecting Girls,” in *Fighting the Traffic in Young Girls: or, War on the White Slave Trade*, ed. Ernest A. Bell (Chicago: G.S. Ball, 1910), 314-15.

<sup>19</sup> Donovan, *White Slave Crusades*, 31.

<sup>20</sup> E.A. Bell, *Fighting the Traffic in Young Girls: Or, War on the White Slave Trade* (Chicago: G.S. Ball, 1910), 62.

<sup>21</sup> D.J. Langum, *Crossing Over the Line: Legislating Morality and the Mann Act* (Chicago: University of Chicago Press, 1994), 43.

<sup>22</sup> Langum, *Crossing Over the Line*, 27.

<sup>23</sup> Donovan, *White Slave Crusades*, 15.

Certainly the WCTU's primary leader, Frances Willard, was clear in what she believed, as she claimed that the world's foremost race was the Anglo-Saxons, even above other white ethnicities.<sup>24</sup> Willard used a more racially inclusive category to discuss the villains of sex crimes (non-Anglo-Saxon white men) and a more restrictive category to refer to the potential rescuers of women (Anglo-Saxon men).<sup>25</sup> The myth of white slavery was "instrumental in catalyzing anti-prostitution during the moral panic of the Progressive Era... by putting prostitution into a context familiar to Americans: White American women victimized sexually by non-white or non-WASP men."<sup>26</sup>

The popular understanding of the effects of white slavery on American women tied back to the paternalism of American society. White slavery was a threat to womanhood and American virtue due to the fact that women who were trapped in forced prostitution were viewed by men as damaged goods.<sup>27</sup> US Defense Attorney Edward Sims stated that "[white slavery] includes those women and girls who, if given a fair chance, would in all probability have been good wives and mothers and useful citizens."<sup>28</sup> Sims also referred to the woman who had been involved in the trade as having a shattered moral fiber. They could not expect to live long. This outlook implies, of course, that women and girls who had been forced into the trade of prostitution were not able to be good wives, mothers, or citizens after they had been desecrated by salacious men. Human rights, support, and care were reserved for those women who had been trapped or tricked into the trade because, according to the distortion of patriarchal thought, they would have been married had they not been trafficked. Therefore they had

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<sup>24</sup> Donovan, *White Slave Crusades*, 46.

<sup>25</sup> *Ibid.*, 47.

<sup>26</sup> F. Grittner, *White Slavery: Myth, Ideology, and American Law* (New York: Garland Publishing, 1981), 9.

<sup>27</sup> Donovan, *White Slave Crusades*, 21.

<sup>28</sup> Edwin W. Sims, "Introduction," in *Fighting the Traffic in Young Girls: or, War on the White Slave Trade*, ed. Ernest A. Bell (Chicago: G.S. Ball, 1910), 14.

lost their opportunity to be “good women.”<sup>29</sup> Afterward, if these women were freed from the world of white slavery, they were no longer desirable.

### **The Women’s Christian Temperance Union**

American purity crusaders were typically well-off white men and women with time on their hands. Many women involved in the movement were from temperance unions and were focused on reasserting Puritanical social norms amid a modernizing American society that had outgrown them. The new American city allowed purity organizations such as the Women’s Christian Temperance Union to claim a foothold in social politics by using the fears of the more conservative population to promote their agenda. In doing so, the WCTU used its temperance pledge to promote social purity and encourage a return to proper social mores. The white slave trade in particular was of interest to the WCTU, and their focus on it began a nationwide crusade to bring an end to forced prostitution and sexual slavery of the young, native white women seemingly most at risk in America’s new cities. Despite their focus on various issues, the WCTU at the turn of the twentieth century focused primarily on re-marking the social boundaries for America youth, specifically women’s behavior.

British social purity organizations were successful in their attempts to raise the age of consent by combating prostitution, and their successes inspired the American moral reform community.<sup>30</sup> The American response to British social purity organizations came primarily in the form of the Women’s Christian Temperance Union. The Women’s Christian Temperance Union, or WCTU, was a group that was originally organized in Hillsboro, Ohio, in December of 1873, and then at a national convention in Cleveland, Ohio in 1874. Still active today, it is a temperance organization that was among the first female groups aimed at social reform. Its membership pledge states: “I hereby solemnly promise, God helping me, to

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<sup>29</sup> Kathleen Barry, *The Prostitution of Sexuality* (New York: New York University Press), 121.

<sup>30</sup> Donovan, *White Slave Crusades*, 19.



abstain from all distilled, fermented, and malt liquors, including wine, beer, and hard cider, and to employ all proper means to discourage the use of and traffic in the same.”<sup>31</sup> Their primary inspiration was found in the Greek philosopher Xenophon, who argued for total abstinence from all things harmful. Temperance was one of their primary objectives, in addition to suffrage; many of their other crusades were pursued against behaviors that existed in conjunction with alcoholism and other vices.

The idea of the women's movement of crusaders was to reconstruct social and political institutions. Women were to purify every place they entered.<sup>32</sup> The white slavery issue entered American public discourse at the encouragement of the WCTU and other American purity reformers.<sup>33</sup> Frances Willard and Katharine Bushnell, the WCTU's National Evangelist of the Department of Social Purity, were largely responsible for introducing the issue to the American reform community. Their concerns reflected the cultural climate of the era while also offering new ways to understand the connections between race and womanhood.<sup>34</sup> The WCTU justified its acquisition of political and social rights based on race-based sexual piety and morality, as well as the members' maternal responsibility to protect the Anglo-Saxon family.<sup>35</sup> The white slave myth centered on the danger prostitution posed to “the family life of the white race” which was “at stake in its purity, in its healthfulness, and in its fertility.”<sup>36</sup> Their interest in the white slavery crusades was in part ingrained racism, xenophobia, and a growing concern for the American populace that was straying from proper and established social boundaries.

Although the Women's Christian Temperance Union's main focuses were temperance and suffrage, its notable focuses on purity and anti-

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<sup>31</sup> “Why We Believe,” National Women's Christian Temperance Union, accessed 19 November 2017, [www.wctu.org](http://www.wctu.org).

<sup>32</sup> Pivar, *Purity Crusade*, 204.

<sup>33</sup> Donovan, *White Slave Crusades*, 19.

<sup>34</sup> Donovan, *White Slave Crusades*, 38.

<sup>35</sup> *Ibid.*, 37.

<sup>36</sup> Connelly, *The Response to Prostitution in the Progressive Era*, 60.

prostitution work became representative of the group. The WCTU is most known for establishing a department for the suppression of prostitution; while this originally garnered few volunteers, the efforts of British purity leaders to outlaw “white slavery” gave American reformers cause for hope.<sup>37</sup> The use of white slavery as a political tool did not exclude it from the WCTU’s temperance ideology as the trade was often associated with the “immoral debauchery of drink.”<sup>38</sup> Since the WCTU was a national group with local branches, its most prominent missions differed from place to place; regardless, its chief aim (aside from suffrage) remained the abolition of alcohol.

Prostitution was one of many sins which flowed from the bottle, and as such was one of many fields in which the WCTU found an interest.<sup>39</sup> Their main focus in temperance allowed them to extend their sphere of influence to include other mainstream social issues. The WCTU’s “Do-Everything” policy led to the organization popularizing the white slavery issue and its call for crusades against prostitution since they could claim its direct relation to alcoholism and abuse.<sup>40</sup> The white slavery issue in particular resonated with the WCTU due to the connection between alcohol and new social areas of the city through which prostitution and white slavery would be born. By combating alcohol and the sins which it caused at the same time, the WCTU would be fully defending American society from both cause and effect. Additionally, the WCTU’s fight against white slavery gained them supporters who would further promote their primary cause and bring public opinion to the side of the purity crusaders.

While the WCTU pursued reform efforts to curtail white slavery and prostitution, the main issue which arose was the lack of consensus about the amount, and categorical definition of, white slavery. The WCTU and other purity reformers, despite the fact that none of them agreed on the most

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<sup>37</sup> Grittner, *White Slavery*, 43.

<sup>38</sup> Barry, *The Prostitution of Sexuality*, 113.

<sup>39</sup> Grittner, *White Slavery*, 51.

<sup>40</sup> Donovan, *White Slave Crusades*, 44.

basic tenets of the white slave trade, agreed that the issue was caused by the cruelty of men to which the only solution was the moral influence of women.<sup>41</sup> Willard claimed that the source of the problem lay primarily in non-white American residents, as she was worried about “immigrants carrying their pervasive immorality of their native lands to American shores.”<sup>42</sup> The Americanized myth of white slavery, and the WCTU’s use of it as a scare tactic, can help explain in fuller detail the moral panic, because the myth contains a set of social themes in which the fears of many Americans were reflected: the dangers of immigration and immigrants, sexual violence against white women, and the changing social structure of the new cities.<sup>43</sup> The idea of forced prostitution was built on the enduring American racism that labeled the traffic “white” slavery and the paternalism that assumed that women were helpless like children and needed protection.<sup>44</sup> This built on the period-typical idea of women as those to be protected by men since women were near wholly reliant upon men for housing, status, and material upkeep.

As purity crusades continued on into the twentieth century they were dominated by two themes: the immoral destruction of innocent girls’ virtue and the sinful incontinence of men.<sup>45</sup> For groups like the WCTU, their call was for the purity and preservation of the family. The simplicity of the myth of white slavery proved a powerful tool for crusaders to advance their own agendas, and the myth itself would ignite a nationwide effort to repress prostitution. The development and articulation of the myth disclosed how Americans viewed women, sex, immigrants, and the city.<sup>46</sup> The critical reasons for the problem of white slavery were race, nationality, religion, poverty, and sexual ignorance.<sup>47</sup>

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<sup>41</sup> Donovan, *White Slave Crusades*, 39.

<sup>42</sup> *Ibid.*, 45.

<sup>43</sup> Grittner, *White Slavery*, 64.

<sup>44</sup> Barry, *The Prostitution of Sexuality*, 117.

<sup>45</sup> *Ibid.*, 113.

<sup>46</sup> Grittner, *White Slavery*, 52.

<sup>47</sup> *Ibid.*, 127.

### **The Mann Act**

The perception that the problem of white slavery was widespread led to federal involvement through the White Slave Trade Act, otherwise known as the Mann Act. It forbade the transportation of a person across state lines or international boundaries for prostitution or other immoral purposes, which was a breakthrough for purity reformers.<sup>48</sup> While the 1910 law was originally intended to combat forced prostitution and immorality, it has been applied broadly over the years since its passage.<sup>49</sup> This paper's discussion of the White Slave Trade Act, or the Mann Act, will focus primarily on its enforcement in the early twentieth century after its passage. While it was intended to curb prostitution under the commerce clause, it was eventually used to regulate private behavior.

The definition of "[p]rostitution and the vague category of "immoral purpose" gave federal officials wide-ranging powers to combat what they considered deviant and immoral."<sup>50</sup> The Mann Act was a very useful tool to the government in their effort to combat "the social evil." However, the loose and inconsistent definition of the word "prostitution" according to Connelly "actually included any form of sexual behavior that violated the imperatives of civilized morality."<sup>51</sup> A 1978 amendment updated the definition of "transportation" and added protection for minors against sexual exploitation; a 1986 amendment protected minors further and replaced "debauchery" and "any other immoral purpose" with "any sexual activity for which any person can be charged with a criminal offense."<sup>52</sup> Despite its questionable enforcement and relative obscurity today, the Mann Act remains in place and is still used to convict men and women who engage in interstate transport of minors or prostitutes.

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<sup>48</sup> Grittner, *White Slavery*, 133.

<sup>49</sup> Eric Weiner, "The Long, Colorful History of the Mann Act," *NPR*, (2008).

<sup>50</sup> Cordasco, *The White Slave Trade and the Immigrants: A Chapter in American Social History*, 96.

<sup>51</sup> Connelly, *The Response to Prostitution in the Progressive Era*, 18.

<sup>52</sup> Weiner, "The Long, Colorful History of the Mann Act."

The Mann Act was intended to allow legislators to combat forced prostitution and sexual slavery under the commerce clause. As one of the groups that influenced the creation and passage of the law, the Women's Christian Temperance Union saw in the Mann Act a useful tool through which purity crusaders would be able to combat the social evils which had grown in the city. The Mann Act itself was the first clearly successful case of the influence of purity crusaders on public policy, and many government officials supported the purity crusade's ideology. This response encouraged social reformers to continue their efforts to combat the new evils of a developing society on a variety of different levels, both locally, as they had been until that point, and nationally with their influence on public policy. Prior to the passage of the Mann Act, purity organizations such as the WCTU handled vices and immorality on a local level alone. With its passage, the Mann Act theoretically guaranteed the enforcement of stricter punishments for illegal acts which affected those within the private sphere in a public way.

The question of a woman's will during the establishment of the Mann Act was entirely excluded from consideration.<sup>53</sup> Women could willingly enter into sexual relationships and, if caught under the Mann Act, still be considered victims while their male counterparts would potentially be prosecuted. Only "the person [presumably male] who sent the woman across state lines was criminally liable."<sup>54</sup> Justice Lamar claimed in one Supreme Court case that "the Mann Act was aimed only at panderers and procurers and treated women as victims," and that "mere consent of the woman could not change her statutory status from victim to wrongdoer."<sup>55</sup> Her consent was "immaterial as a defense."<sup>56</sup> Where originally the law

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<sup>53</sup> Barry, *The Prostitution of Sexuality*, 115.

<sup>54</sup> Cordasco, *The White Slave Trade and the Immigrants*, 96.

<sup>55</sup> Michael Conant, "Federalism, the Mann Act, and the Imperative to Decriminalize Prostitution," *Cornell Journal of Law and Public Policy* 5, no. 4 (1996): 110.

<sup>56</sup> Grittner, *White Slavery*, 96.

sought to repress sexual slavery, it became almost expressly used by legislators to regulate sexual behavior. Section 2 of the Mann Act states:

That any person who shall knowingly transport or cause to be transported, or aid or assist in obtaining transportation for, or in transporting, in interstate or foreign commerce, or in any Territory or in the District of Columbia, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl to become a prostitute or to give herself up to debauchery, or to engage in any other immoral practice; or who shall knowingly procure or obtain, or cause to be procured or obtained, or aid or assist in procuring or obtaining, any ticket or tickets, or any form of transportation or evidence of the right thereto, to be used by any woman or girl in interstate or foreign commerce, or in any Territory or the District of Columbia, in going to any place for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent or purpose on the part of such person to induce, entice, or compel her to give herself up to the practice of prostitution, or to give herself up to debauchery, or any other immoral practice, whereby any such woman or girl shall be transported in interstate or foreign commerce, or in any Territory or the District of Columbia, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding five thousand dollars, or by imprisonment of not more than five years, or by both such fine and imprisonment in the discretion of the court.<sup>57</sup>

The ambiguous language of the original act made it very open to interpretation, and suggests the extent to which the purity movement had succeeded in becoming the lawful guardians of female virtue.<sup>58</sup>

Based on the results of several court cases in which the Supreme Court outlined the intersection of its power and what they claimed to be “immoral activities,” it is obvious that the Mann Act more and more came to be suggestive of policing sexual mores. Seagle claimed, as of the written date of his article, that the Department of Justice had estimated that only about 2 percent of Mann Act cases prosecuted involved noncommercial

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<sup>57</sup> *Coercion and Enticement Act of 1910*, 18 U.S.C. §§ 2422 et seq. (1910).

<sup>58</sup> Barry, *The Prostitution of Sexuality*, 115.

sexual vice.<sup>59</sup> However, the cases involving noncommercial vice were, more often than not, used to control sexual behavior. Many cases involved married women having affairs or abandoning their children with their husbands to run off with a new beau, individuals who were polygamists or who had mistresses or concubines, and young men and women engaging in the newfound sexual freedom of the big city.<sup>60</sup> Sexuality was seen as a potentially destructive force, something which required the use of government legislation to combat.<sup>61</sup> As stated by David Langum:

It cannot be said with honesty that noncommercial and nonconsensual violations of the Mann Act ever were prosecuted primarily with a view of addressing the threat of unwanted pregnancies or venereal disease. At least in the years between 1913 and 1928, it was representative of American puritanism, largely religiously inspired, opposed broadly to sexuality outside of marriage, that was at work. It was a demand that people be good.<sup>62</sup>

While the WCTU did not hold women responsible for entering the trade of prostitution, the prevailing miscommunication regarding what prostitution *was* meant that oftentimes women who willingly engaged in sex were considered victims.<sup>63</sup> Where some legislators viewed prostitution as a strict exchange of sexual favors for money, others viewed it as any sexual act outside of marriage; some women prosecuted for prostitution were known as “charity girls,” women who would engage in sexual relations and receive favors (such as gifts, vacation trips, etc.) in exchange. The category of “charity girl” also included women who engaged in sexual relations with men for the sole purpose of pleasure and sexual gratification; these women were also known as “clandestine prostitutes.”<sup>64</sup> All were likely to be considered victims.

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<sup>59</sup> William Seagle, “The Twilight of the Mann Act,” *American Bar Association Journal* 55, no. 7 (1969).

<sup>60</sup> *Ibid.*, 644.

<sup>61</sup> Connelly, *The Response to Prostitution in the Progressive Era*, 8-9.

<sup>62</sup> Langum, *Crossing Over the Line: Legislating Morality and the Mann Act*, 7.

<sup>63</sup> Donovan, *White Slave Crusades*, 48.

<sup>64</sup> Langum, *Crossing Over the Line: Legislating Morality and the Mann Act*.

The Mann Act has for decades been an interesting case study on the response of social conservatives to the sudden increase in sociosexual liberals-the youth willing to engage in sexuality activity outside of a committed relationship. Its intent was focused on the conservation of traditional, and acceptable, behavior but its rhetoric allowed for both abuse and neglect. Only certain white women were protected under the law, and among those who were, many were not victims but willing partners. An alarming number of cases under the Mann Act focused on relationships between black men and white women, willing as they were, while a very small percentage of cases actually dealt with forced prostitution. In a sense, the Mann Act did in fact continue to preserve American sexual morals, but not the morals which were openly discussed. Instead the letter of the law was pursued rather than the spirit, and the result was a piece of legislation under which America experienced something like a sexual witch hunt. Specific sexual mores were to be demonized, among them the persecution of interracial relationships and the suppression of the newfound sexual freedom of the cities.

The myth of white slavery allowed the WCTU and other purity reformers to reassert their control over women and their sexuality, which was viewed as being within the private sphere-- meaning that it was to be controlled by women. Using white slavery, reformers re-marked moral boundaries that were being trampled on as Americans rushed to embrace the modern era and all of the changes that accompanied it.<sup>65</sup> The new cities and the “new women” who would inhabit them were unspooling that tightly wound feminine control over the home, and the new dens of iniquity and increasingly salacious nature of immigrant men proved that the matriarchs were needed to protect those women under their care. Cities saw an influx of foreign immigrants and native drifters, particularly young white women from the country for whom the city was a new place of unprecedented freedom. The city was a haven for these women, but for their parents and

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<sup>65</sup> Grittner, *White Slavery: Myth, Ideology, and American Law*, 129.



the purity crusaders of the era, cities represented the seedy underbelly of American society, where young men and women went about unsupervised and away from prying eyes.

Here was the perfect place for the Women's Christian Temperance Union to step in as those benevolent matriarchs and to reassert their control over the modern woman. American paternalism assured that societal expectation of the older generation to protect young women from the dangers of the city and from themselves; in doing so the crusaders harkened back to the earlier days of Puritanical social values. Men and women of the older generations, or of the more conservative crowd, feared the newfound sexual freedoms in American cities and as such promoted the Mann Act as a way in which to control immorality. The government was a tool which could, with the aid of purity crusaders, fight against this immorality and re-establish proper social and sexual mores. The Mann Act itself was the first step toward the society which the WCTU envisioned, where women stayed properly within the home, or at least within their proper sociosexual roles, and men were moral. Abolishing alcohol was an important part of the process, and while the Women's Christian Temperance Union sought that end they would continue to monitor the behavior of men and women in the modern American city. While the WCTU has yet to succeed in the long run in the promotion of temperance or proper morality, their influence over public policy and morality in the era of the Mann Act is apparent.

The broader implications of the Women's Christian Temperance Union and their purity crusade are interesting to consider, to say the least. Self-elected monitors of "proper" morality, the WCTU and their like-minded followers encouraged public policy which would support their own ideology and promote a return to Puritanical values. Where some historians have argued for the beneficial influence that the WCTU and the Mann Act provided twentieth century America, a comparable number have argued that they were harmful to the still-developing social character of American cities and to women's freedoms. Regardless, it is apparent that the WCTU and the

Mann Act did succeed in controlling women's roles for a considerable period of time during the early twentieth century. One thing is certain: the Women's Christian Temperance Union was a driving force behind the reconsideration of American values, and its influence extended to public policy in ways that are still in place today.